

1
2 JOHN L. BURRIS, Esq./ State Bar # 69888
3 LAW OFFICES OF JOHN L. BURRIS
4 7677 Oakport Street, Suite 1120
5 Oakland, CA 94621
6 Telephone: (510) 839-5200
7 Facsimile: (510) 839-3882

8
9 GAYLA B. LIBET, Esq./ State Bar # 109173
10 LAW OFFICES OF GAYLA B. LIBET
11 486 41st Street, Suite 3
12 Oakland, CA 94609
13 Telephone and Facsimile: (510) 420-0324

14 Attorneys for Plaintiffs

15 KIMBERLY E. COLWELL, Esq./ State Bar # 127604
16 TRICIA L. HYNES, Esq./ State Bar # 212550
17 MEYERS, NAVÉ, RIBACK, SILVER & WILSON
18 555 12th Street, Suite 1500
19 Oakland, CA 94607
20 Telephone: (510) 808-2000
21 Facsimile: (510) 444-1108

22 Attorneys for Defendants

23 UNITED STATES DISTRICT COURT

24 NORTHERN DISTRICT OF CALIFORNIA

25 LIONEL N. ALLEN; RALPH P. DAVIS;
26 MONICA OATEZ; MICHAEL OATEZ;
27 MARWAN OATEZ; JOHNNY D. STOKES,
and, MICHAEL A. FLEURY,

28 Action No. C-07-03509-PJH

**STIPULATION AND PROPOSED ORDER FOR
CONTINUATION OF CASE MANAGEMENT CONFERENCE**

29 Plaintiffs,

30 vs.

31 CITY OF SAN LEANDRO, a municipal corporation;
32 JOSEPH KITCHEN, in his capacity as Chief of Police
33 for CITY OF SAN LEANDRO; and, DOES 1-25,
34 inclusive, individually, and in their capacity as
35 San Leandro police officers,

36 Defendants. /

37 **STIPULATION**

38 All parties to this action stipulate and agree, by and through their respective counsel,
39 as follows:

40 1. The CITY OF SAN LEANDRO Council has approved settlement of this action in an amount
41 which had already been agreed to by all parties to this action, defendants' counsel have delivered a

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2 "Release of All Claims" for signature by all plaintiffs and their counsel;

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Once the "Release of All Claims" has been executed and returned to defendants' attorneys, the settlement check will then be delivered by defense counsel to plaintiffs' attorneys at the Law Offices of John L. Burris;

3. Upon receipt of the settlement check for this action by plaintiffs' attorneys at the Law Offices of John L. Burris, the Stipulation and Order for Dismissal of Action will then be filed with this Court;

4. Therefore, the parties request that this Court continue the Case Management Conference presently scheduled for September 25, 2008 and the Joint Updated Case Management Conference Statement, for approximately two (2) months.

LAW OFFICES OF GAYLA B. LIBET

Dated: 9-22-08 By: Gayla B. Libet
GAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: 9/22/08 By: JL Burris
JOHN L. BURRIS, Esq.
Attorneys for Plaintiffs

MEYERS, NAVF, RIBACK, SILVER & WILSON

Dated: _____ By: _____
KIMBERLY E. COLWELL, Esq.
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HONORABLE PHYLLIS J. HAMILTON
United States District Court Judge

"Release of All Claims" for signature by all plaintiffs and their counsel;

2. Once the "Release of All Claims" has been executed and returned to defendants' attorneys, the settlement check will then be delivered by defense counsel to plaintiffs' attorneys at the Law Offices of John L. Burris;
3. Upon receipt of the settlement check for this action by plaintiffs' attorneys at the Law Offices of John L. Burris, the Stipulation and Order for Dismissal of Action will then be filed with this Court;
4. Therefore, the parties request that this Court continue the Case Management Conference presently scheduled for September 25, 2008 and the Joint Updated Case Management Conference Statement, for approximately two (2) months.

LAW OFFICES OF GAYLA B. LIBET

Dated: _____ By: _____
GAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: _____ By: _____
JOHN L. BURRIS, Esq.
Attorneys for Plaintiffs

MEYERS, NAVÉ, RIBACK, SILVER & WILSON
Dated: September 22, 2008 By: Tricia Hynes
TRICIA HYNES, Esq.
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Case Management Conference continued to December 4, 2008 at 2:30 p.m.

Dated: 9/23/08

HONORABLE PHYLLIS J. HAMILTON
United States District Court

